

REMARKS

Applicants respectfully request reconsideration and allowance of claims 18-25, 29-33, and 46-48 that are pending in the above-identified patent application.

Amendment to Claims

Applicants have amended claims 18, 20-25, 29-32 and 46-48 to more clearly recite various features of the invention. No new matter has been added by the claim amendments

Interview Summary

The undersigned wishes to thank the Examiner for the courtesies that he extended to the all participants of the interviews of May 16 and 24, 2006.

Rejection Under § 101

In numbered parts 4-5 of the Office Action, the Examiner rejected claim 25 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. As best understood, the Examiner believes that the recitation in claim 25 embraced two different classes of invention. In response, Applicants have amended claim 25 to read: The method of claim 18, wherein the first order, second order, and one or more intermediate orders include at least one of offers or bids for financial instruments. During the interview, the Examiner appeared to be persuaded that this recitation of claim 25 overcomes the 35 U.S.C. § 101 rejection.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejection 35 U.S.C. § 101 rejection of the subject claim.

Rejection Under § 112

In numbered parts 6-8 of the Office Action, the Examiner rejected claims 20-23, 29-32 and 46 under 35 U.S.C. § 112, second paragraph as being indefinite. In response, Applicants have amended these claims to address each of the Examiner's rejections. During the interview, the Examiner stated that the 35 U.S.C. § 112, second paragraph rejections of these claims would be

overcome if the amendments herein were made.

Accordingly, Applicants respectfully request that the Examiner withdraw his rejection 35 U.S.C. § 112 rejections of the subject claims.

Rejection Under § 102

In numbered Part 10 of the Office Action, the Examiner rejected claims 18-24 and 47-48 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0165817 ("the Rackson reference"). During the interviews, the Rackson reference was discussed in detail with the Examiner. In particular, Applicants made clear that the Rackson reference fails to disclose a serial chain of transactions in which "a serial chain of transactions is identified using the first order, at least one received intermediate order, and the second order, such that the chain of transactions is executable, where the serial chain of transactions comprises a transfer of said item between the first ordering party and a first intermediate party, and a transfer of said item between the second ordering party and a last intermediate party."

As discussed during the interview, among the reasons that embodiments of the invention, such as that recited in claim 18, differ from the prior art include that such prior art systems eliminate intermediaries of the type that make intermediate offers and rebrokering transactions between a first party and a second party.

In view of the foregoing, it is clear that the Rackson reference fails to disclose each and every feature of the invention as recited in independent method claim 18 of the instant application. Accordingly, Applicant respectfully requests that the Examiner withdraw his §102(e) rejection of claim 18 and the subject dependent claims.

Rejection Under § 103

In numbered Parts 12-13 of the Office Action, the Examiner rejected claim 25 under 35 U.S.C. § 103(a) as being obvious over the Rackson reference. In view of the clear deficiencies in the Rackson reference discussed above with respect to base claim 18, Applicants respectfully request that the Examiner withdraw his 35 U.S.C. § 103(a) rejection of claim 25.

Conclusion

In view of the foregoing, Applicants submit that the instant claims are in condition for allowance. Early and favorable action is earnestly solicited. In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 11-0223.

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Respectfully submitted,

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